

## **Overview of Air Force Restoration Program-FY 00 and Beyond**

### **Lt Col Ray Knight, HQ USAF Restoration Chief**

Lt Col Knight provided an overview of the entire Air Force (AF) environmental restoration program. He reviewed how the AF is structured organizationally, and explained the relationship between the AF and Department of Defense (DoD) leadership in the environmental business. Lt Col Knight then discussed the AF vision, goals, and commitments to the AF restoration program. He focused on how the principles and recommendations from the Federal Facilities Environmental Restoration Dialogue Committee (FFERDC) are used to shape the AF cleanup program. This topic led into a review of the AF budgeting process, the "Bottom-Up" aspect for requirement identification, and the importance of stakeholder involvement in the process. This process supports the AF stable funding request to the DoD and Congress which allows the AF to establish long-range commitments to stakeholders based on FFERDC principle of "Risk plus other Factors". However, stable funding does not necessarily mean level funding. Program funding is vulnerable to congressional cuts and priority realignments. Lt Col Knight specifically addressed his support of DoD/State Memorandum of Agreement (DSMOA) program and asked the states to help the AF demonstrate that it "...is getting a return on this investment" in the DSMOA program. He concluded his presentation by identifying several challenges in the program and highlighted the upcoming AF partnering initiative.

**Overview of the Air Force Base Conversion Agency-FY 00 and Beyond**  
**John Smith, HQ AFBCA Environmental Chief**

Mr. Smith indicated that the Air Force Base Conversion Agency (AFBCA) role is to take Air Force (AF) disposal property, clean it up, and give it away; while assisting with the development of jobs in the community. The conceptual differences between the environmental restoration program missions of the operational AF installations and those that have been identified for conversion or closure were presented. The details of the organization working on the environmental cleanup; with emphasis on regionalization were discussed. The Defense Planning Guidance was discussed. Site Closeout Decision Support Tools, Quarterly Reviews & Regional Peer Reviews, and Site Closeout Assistance Visits were described.

The issue of land use controls and certification from the states and Environmental Protection Agency (EPA) concerning Last Remedy In Place, as each relates to the ability to transfer property, was discussed. There needs to be a method for confirming that the goals set out in the Department of Defense State Memorandum of Agreements (DSMOA) have been achieved. It was indicated that funding for AFBCA is not currently stable due to some past issues and that the Base Realignment And Closure Cleanup Team (BCT) would be provided with funding information. There is a focus on utilizing the BCT for providing input for the closure process. Participation in the AFBCA quarterly reviews by everyone is essential and everyone is encouraged to participate in the teleconference.

AFBCA will include review of EPA and State goals as part of the AFBCA quarterly review, if they are provided, but input is requested and needed.

## **AF MAJCOM: A Regional Perspective**

**George S. Fujimoto, HQ PACAF Environmental Chief**

Mr. Fujimoto stated that Environmental Protection Agency (EPA) Regions 9 & 10 have 10 Air Force Bases currently on the National Priority List. Each Major Command representative was introduced by Mr. Fujimoto. The goals and objectives of Pacific Air Forces are the protection of human health, compliance with legal requirements, and reduction of risk. It was indicated that the reduction of risk would be dealing with the worse cases first, without overlooking low risk projects. The importance of Restoration Advisory Board was stressed. Mr. Fujimoto requested the help of regulators with No Further Response Action Plans (NFRAPs). The relative risk profiles within each EPA Region were discussed. An overview of the program highlighting the unique issues of remote sites in Alaska was provided. Mr. Fujimoto concluded by outlining two challenges to the program; the first is the need to adhere to the document review schedule and the second is institutional controls.

**EPA Region 9 Overview**  
**Dan Meer, Chief, Region 9, EPA Federal Facilities**

The United States Air Force (USAF) has been very supportive of the Environmental Protection Agency's (EPA) efforts and the EPA intends to strive to keep that relationship in place. It was indicated that the primary focus is the "reuse" issue. EPA will make available as much assistance as possible for the clean up efforts, with the understanding that the clean ups would take precedence over schedules, cost, and any other issues. EPA is not responsible for delays in clean ups if the clean ups are not achieving agreed upon levels or the remedies are not consistent with the National Oil and Hazardous Pollution Contingency Plan. The EPA is willing to accept their share of responsibility for a slower cleanup schedule, if it means getting the site completely clean.

EPA Base Realignment And Closure personnel will be reduced and this will require the need to address priority sites now. This reduction in staff would create a situation after 2001 in which the EPA will be unable to "partner" and would be forced into the position of regulator by slowing down the process; dealing with sites on the "back end".

Government Performance Results Act (GPRA) issues and possible associated difficulties were discussed. The goals and intent of GPRA were briefly discussed. However, most importantly, it was stated that these goals do not translate into legal requirements for the USAF.

## **EPA Region 10 Overview**

### **Nancy Harney, EPA Region 10**

Ms. Harney provided an overview of the Environmental Protection Agency (EPA) Region 10 organization. It was stated that there are no Air Force Base Conversion Agency bases in this region. The Air Force (AF) bases that are on the National Priorities List (NPL) are in good standing with no major issues to report. The regional focus is for "construction completions" (last remedy in place). One of the issues in Region 10 is Unexploded Ordnance (UXO), but at this time there are no Air Force (AF) NPL sites where UXO is a significant problem.

Another issue in Region 10 are Formerly Used Defense Sites (FUDS). While this involves contamination left in some cases by the AF, the Army Corps of Engineers has been delegated the cleanup responsibility for these sites. Some people have been dissatisfied with the Corps' handling of FUDS and have asked if the AF could come back and do the cleanup.

It was emphasized that the EPA Region 10 staff have indicated that the AF has been responsive and are easy to work with. The EPA is currently looking for opportunities to delete sites from the NPL. This is important, although the first step is to reach construction completion. The EPA is also looking for opportunities to do partial deletions. However, they have been reluctant to end up with property that looks like "Swiss-cheese", where individual areas across the installation have been deleted while other areas have not. This is in part due to the administrative workload associated with the partial deletion process. However, EPA is still looking for more partial deletions in the future.

**State Perspective - Alaska**  
**Jennifer Roberts, Alaska Department of Environmental Conservation**

An overview of the Alaska Department of Environmental Conservation (DEC) was provided. There has been a severe shortfall in state funds due to low oil prices. This has affected the state's ability to fill a large number of positions. In the current fiscal environment, the Department of Defense State Memorandum of Agreement has provided the means for the Alaska DEC to complete United States Air Force (USAF) work. In order to expedite site clean up, the Alaska DEC has written Decision Documents that allows the delegation of decisions to staff.

The problems associated with remote sites, such as the costs for mobilization, were presented. The difficulty in the requirement to negotiate with 227-300 recognized tribes were discussed.

There is a concern over the banner of "sovereign immunity" that the USAF is using to address permitting. Alaska was disappointed that this was not discussed with the states prior to implementation.

**State Perspective - California**  
**Stan Phillippe, Division Chief, Office of Military Facilities**

The organizational structure of the agency was presented. Administrative personnel changes and the different organizational priorities between the Department of Toxic Substance Control (DTSC) and the Water Resource Control Board were identified.

An Administrative Order has been issued to the Army Corps of Engineers on a Unexploded Ordinance (UXO) issue. The Air Force (AF) has some UXOs sites that are being encroached upon by public development and these issues may become more prevalent in the future.

The USAF's priority to transfer property and associated documents (Finding Of Suitability for Transfer, Finding Of Suitability for Lease) that this process creates, are a burden to his understaffed department. There is no intent to single out USAF bases. The State of California expects that the USAF conducts itself the same as private entities. He indicated that institutional control issues are slowing down the process.

**Perspective from Guam**  
**Victor Wuerch, Hydro Geologist, Guam EPA**

Mr. Victor Wuerch provided a general overview of the Guam Environmental Protection Agency (EPA) and its organization. The primary concerns and goals of the Guam EPA are addressing of Unexploded Ordnance (UXO) sites and protection of the sole source drinking water aquifer. Examples of various UXO issues were provided. The government of Guam will not accept any property until it has been cleared of UXO.

He extended Guam EPA's appreciation to the United States Air Force and to the Department of Defense State Memorandum of Agreement for their continued support.



**State Perspective – Nevada**  
**Paul Liebendorfer, Chief, Bureau of Federal Facilities, Division of Environmental Protection**

Mr. Liebendorfer provided a general overview of the Nevada Division of Environmental Protection. Currently there are no United States Air Force (USAF) Base Realignment And Closure sites, or any other sites, on the National Priority List in Nevada. The bases within the state are currently under expansion.

There is good communication with the USAF. However, more discussion is needed on what should be the proper clean up regulation, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or Resource Conservation and Recovery Act. In addition, what are CERCLA exceptions and how clear are those exceptions? There was concern over out-year funding and the lack of legal drivers to continue funding.

**State Perspective--Hawaii**  
**Keith Kawaoka, Hawaii Department of Health**

Mr. Kawaoka discussed the organization of the Department of Health in Hawaii. The primary state law that issues, such as Hazardous Waste, are included in Chapter 128D. Chapter 128D is similar to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), but it also includes petroleum. Mr. Kawaoka stated that the Department's primary objective is to address chemical releases in water and soil and the prevention of future releases. He stated that the Department is also in charge of risk assessment of releases.

The following are outstanding issues that need further discussion:

- 1) Department of Health/United States Air Force (USAF) interagency agreement, signed in 1997, needs updating
- 2) Transfer of lands
- 3) Low level trichloroethylene (TCE) contamination, which may have originated from agriculture or military sources (currently unable to determine source).

The USAF has been proactive with community involvement and long-term monitoring.

Mr. Kawaoka stated that the USAF and Hawaii have developed a good working relationship and the key is to keep the lines of communication open.

**State Perspective—Oregon**  
**Terri Hosaka, Oregon Department of Environmental Quality**

Mr. Hosaka stated that Oregon has no Department of Defense State Memorandum of Agreement (DSMOA). Mr. Hosaka provided an overview of the Oregon Department of Environmental Quality, including an organizational chart and regional setup. The program is self-funded and cost recovery is imposed on all responsible parties. A relatively high overhead cost has been imposed due to the lack of formal funding.

Oregon is currently seeking DSMOA funding for Air National Guard Bases. Oregon representatives have met with Air Force Center for Environmental Excellence representatives and have gained insight into this process.

## **State Perspective--Washington**

### **Bill Harris, Ecology Toxic Clean Up Program**

Mr. Harris provided an overview of the Washington Department of Ecology's Toxics Cleanup Program (TCP). TCP's principal statutory authority is Washington's Model Toxics Control Act (MTCA). MTCA parallels Comprehensive Environmental Response, Compensation, and Liability Act in process, but provides its own risk limits and cleanup levels. MTCA is also used for Resource Conservation and Recovery Act (RCRA) corrective action under Washington's authorized RCRA program. In some instances, this integration of cleanup and corrective action has provided opportunities for simplifying RCRA closures and permit requirements.

In 1994, Washington Department of Ecology and the Environmental Protection Agency (EPA) Region 10 entered into an agreement to divide the oversight workload on National Priority List sites, in most cases designating one agency as the lead regulator for each facility. This has expedited cleanups, reduced duplication of effort, and reduced the potential for interagency disputes. The agreement signaled the high level of trust and acceptance of program capabilities between EPA Region 10 and the Washington Department of Ecology. Under the original designations of lead agencies, McChord AFB was Washington Department of Ecology-lead, while Fairchild AFB remained as the sole joint lead Department of Defense (DoD) facility in Washington. Recently, the Washington Department of Ecology assumed the lead role at Fairchild.

The Washington Department of Ecology is currently overseeing cleanups at 73 DoD facilities or Formerly Used Defense Sites (FUDS), including McChord, Fairchild, and six Air National Guard Stations. About 15 TCP staff are currently assigned to DoD/FUDS sites; most also are assigned to other private sites or perform other program functions in TCP. Four TCP staff are currently working on Air Force (AF)/Air National Guard (ANG) clean ups. Funding for the Washington Department of Ecology's oversight of DoD/FUDS cleanups is provided under a Defense-State Memorandum of Agreement, with a current grant of almost \$2,000,000. The amount attributable to Air Force and Air National Guard projects is about \$335,000.

Most of the Installation Restoration Program sites in the Air Force cleanup program in Washington have been assessed as No Further Response Action Planned (NFRAP) or have moved into Long Term Operation (LTO)/Long Term Monitoring (LTM). Most of the AF/ANG station sites are either NFRAP or have Remedial Investigation/Feasibility Study's in progress. Washington Department of Ecology's objectives for the AF/ANG clean up program are to move all remaining sites at McChord and Fairchild into LTO/LTM and to complete their facility-wide periodic reviews. Toxic Clean Up Program will pursue these objectives with the AF/ANG while continuing to observe our program goals of performing cleanups expeditiously, cost-effectively, and attaining compliance with MTCA and CERCLA.

## Overview-Lead Base Paint

Ms. Smith indicated that there is a lack of clear guidance on the lead-based paint issue. A field guide has been prepared that only addresses property that will be utilized for residential purposes. The current issue involves that property that has been classified as non-residential. There is a Comprehensive Environmental Response, Compensation, and Liability Act approach that has been discussed and is expected to be signed.

The numbers for the field guidance manual for lead are as follows:

- >400 ppm                      there will be evaluation/screening
- 400 ppm > < 2,000 ppm    there will be interim actions. EPA is hoping that the Base Realignment And Closure Cleanup Team will decide what those interim actions will consist of.
- >2,000 ppm                 there will be abatement required

The Non-Residential scenario is currently under negotiation. Department of Defense (DoD) has indicated that it would like the option to have the transferee that accepts the property to do the sampling and abatement, if needed. This is with the exception of water towers, and without the use of deed restrictions. DoD would like to use a notification type process. The problem with "notifications" is that there is no requirement that notifications transfer during changes of ownership.

The Air Force (AF) asked about the apparent differences between private and federal facilities. They wanted to know why private property owners are not required to test their property or abate for lead. EPA stated that the current congressional mandate requires that federal facilities are required to address all Comprehensive Environmental Response, Compensation, and Liability (CERCLA) constituents of concern; 120(h), and EPA considers lead a CERCLA Chain of Custody.

**Q: Environmental Protection Agency-What about Deed Restrictions?**

A: Ms. Smith-stated that she is looking for something more than notifications that would be attached to the property. If the intent is to protect children, then the restriction needs to be more specific. The idea is to have something in place that is removable once abatement takes place.

Q: AF-Is there any guidance for active bases?

A: Ms. Smith-Not yet, as there are active controls and there aren't the same types of issues that are found at BRAC sites. An example would be when a former industrial use building is transferred to a private company that would then place a day care center within the building for use by the employees.

Q: AF- Is lead being addressed as a lead release under CERCLA?

A: EPA-There is a philosophical difference.